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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/721,339	11/26/2003	Jong Seok Kim	0465-1092P	8375

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EXAMINER

HUSBAND, SARAH E

ART UNIT	PAPER NUMBER
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1746

DATE MAILED: 06/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/721,339

Applicant(s)

KIM ET AL.

Examiner

Sarah E. Husband

Art Unit

1746

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 March 2006.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4,7,8,11 and 14-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4,7,8,11,14-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 March 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to claims 1, 4, 7, 8, 11 and 14 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1, 7, 8 and 14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1 and 8 are unclear because of the limitation "a drain outlet... located between a side of the sump and the center position of the sump." This limitation is unclear because the center position of the sump is relative to the tub and as worded, the drain is located between this center position. It would seem that the Applicant meant "between a side of the sump and the center of the sump". Appropriate clarification is required.

Claims 7 and 14 recite the limitation "the expanded sump" in line 2 of each claim. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless – (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 4, 7, 8, 11 and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Irmer (DE 3721433).

Irmer discloses a sump for a washing machine having a rib at an edge of the sump, a sump having a center position, a drain between the center and side of the sump (Fig. 1, 4, Items 4, 16", 3, 16', 1, 2; see all Figures).

Claims 1, 4 and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Buss (US Patent No. 3,246,491).

Buss discloses a drum type washing machine having a housing (tub) (10) with a perforated basket (drum) (12), a drain outlet (19) and a lip (rib) (32) at one side of the sump (18). Although Buss does not specifically state that it would prevent water from deviating from the sump, the structures are the same and it would inherently provide this function as well. Buss also discloses the rib is formed at the top edge of the sump (Fig. 1). The "expanded" size is considered as any shape or size large enough to hold a portion of water. Buss discloses that the drain is located between a side and center of the sump because one side of the drain wall would be between the center and the side (see Fig. 2). In Fig. 3, it also looks as if the drain is located off-center.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent

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by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 16, 17 and 22-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Thies (US Pat. App. Pub. 2003/0209041).

Thies discloses a drum washing machine with a cabinet, drum, tub and a sump (Fig. 1, Item 26; paragraph 21), which increases in depth in a rotational direction of the drum and also has the drain at the increased depth portion.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 8, 11 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Buss (US Patent No. 3,246,491).

Buss discloses a drum type washing machine having a housing (tub) (10) with a perforated basket (drum) (12), a drain outlet (19) and a lip (rib) (32) at one side of the sump (18). Although Buss does not specifically state that it would prevent water from deviating from the sump, the structures are the same and it would inherently provide this function as well. Buss also discloses the rib is formed at the top edge of the sump (Fig. 1). The “expanded” size is considered as any shape or size large enough to hold a portion of water. Buss discloses that the drain is located between a side and center of the sump because one

side of the drain wall would be between the center and the side (see Fig. 2). In Fig. 3, it also looks as if the drain is located off-center. Buss discloses a frame for the washing machine, but does not show a cabinet structure forming an exterior of the washing machine.

However, it would be obvious to one of ordinary skill in the art to include a cabinet structure with Buss because of its well-known status in the art of washing machines.

Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Irmer or Buss in view of Lee (US Patent No. 5,934,107).

Irmer and Buss disclose the apparatus shown above in the 102(b) and 103(a) rejections. They do not disclose the packing beneath the sump. Lee discloses packing beneath the sump (102). Packing is common in the art and one of ordinary skill would readily foresee the use of the packing to secure and protect the machine contents. At the time of the invention, it would have been obvious to one of ordinary skill in the art to modify Irmer or Buss with Lee for the benefit of protecting the washing machine during transportation.

Claims 18-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thies in view of Irmer or Buss.

Thies discloses the apparatus shown above in the 102(e) rejection. Thies does not specifically disclose the rib at the edge of the sump. However, Irmer and Buss both disclose this rib member (see Fig. 4 and 2, respectively). At the time of the invention, it would have been obvious to one of ordinary skill in the art to modify Thies with Irmer or Buss for the benefit of better trapping objects (see Figures).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sarah E. Husband whose telephone number is (571) 272-8387. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael E. Barr can be reached on (571) 272-1414. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SEH

A handwritten signature in black ink, appearing to read 'Michael Barr', with a stylized, sweeping underline.

**MICHAEL BARR
SUPERVISORY PATENT EXAMINER**